

SARBANES AMENDMENT NO. 3104

Mr. SARBANES proposed an amendment to the resolution, Senate Resolution 199, supra; as follows:

Strike all after the resolving clause and insert the following: "That the Special Committee should, in response to the offer of the White House, exhaust all available avenues of negotiation, cooperation, or other joint activity in order to obtain the notes of former White House Associate Counsel William H. Kennedy, III, taken at the meeting of November 5, 1993. The Special Committee shall make every possible effort to work cooperatively with the White House and other parties to secure the commitment of the Independent Counsel and the House of Representatives not to argue in any forum that the production of the Kennedy notes to the Special Committee constitutes a waiver of attorney-client privilege."

The preamble is amended to read as follows:

"Whereas the White House has offered to provide the Special Committee to Investigate Whitewater Development Corporation and Related Matters ('the Special Committee') the notes taken by former Associate White House Counsel William H. Kennedy, III, while attending a November 5, 1993 meeting at the law offices of Williams and Connolly, provided there is not a waiver of the attorney client privilege;

"Whereas the White House has made a well-founded assertion, supported by respected legal authorities, that the November 5, 1993 meeting is protected by the attorney-client privilege;

"Whereas the attorney-client privilege is a fundamental tenet of our legal system which the Congress has historically respected;

"Whereas whenever the Congress and the President fail to resolve a dispute between them and instead submit their disagreement to the courts for resolution, an enormous power is vested in the judicial branch to write rules that will govern the relationship between the elected branches;

"Whereas an adverse precedent could be established for the Congress that would make it more difficult for all congressional committees to conduct important oversight and other investigatory functions;

"Whereas when a dispute occurs between the Congress and the President, it is the obligation of each to make a principled effort to acknowledge, and if possible to meet, the legitimate needs of the other branch;

"Whereas the White House has made such an effort through forthcoming offers to the Special Committee to resolve this dispute; and

"Whereas the Special Committee will obtain the requested notes much more promptly through a negotiated resolution of this dispute than a court suit:"

THE LIVESTOCK CONCENTRATION
REPORT ACT OF 1995

HATCH AMENDMENT NO. 3105

Mr. DOLE (for Mr. HATCH) proposed an amendment to the bill (S. 1340) to require the President to appoint a Commission on Concentration in the Livestock Industry; as follows:

Sec. 4 Duties of Commission: delete lines 9 and 10 (page 9) and add:

(2) to request the Attorney General to report on the application of the antitrust laws and operation of other Federal laws applicable, with respect to concentration and vertical integration in the procurement and pricing

ing of slaughter cattle and of slaughter hogs by meat packers;

Sec. 4(b) Solicitation of Information.

Line 7 page 10 insert: 'industry employees'.

THE IRAN FOREIGN OIL
SANCTIONS ACT OF 1995KENNEDY (AND D'AMATO)
AMENDMENT NO. 3106

Mr. SANTORUM (for Mr. KENNEDY, for himself and Mr. D'AMATO) proposed an amendment to the bill (S. 1228) to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran; as follows:

At the end of the bill, add the following new section:

SEC. . APPLICATION OF THE ACT TO LIBYA.

The sanctions of this Act, including the terms and conditions for the imposition, duration, and termination of sanctions, shall apply to persons making investments for the development of petroleum resources in Libya in the same manner as those sanctions apply under this Act to persons making investments for such development in Iran.

REIMBURSEMENTS TO STATES
FOR FEDERALLY FUNDED EM-
PLOYEES DURING SHUT DOWNDOMENICI (AND OTHERS)
AMENDMENT NO. 3107

Mr. SANTORUM (for Mr. DOMENICI, Mr. LOTT, Mr. WARNER, Mr. STEVENS, Mr. COHEN, Mr. EXON, Mr. PRESSLER, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. THOMAS, Mr. COHEN, Mr. COCHRAN, Mr. KERREY, Mr. GRASSLEY, and Mr. HARKIN) proposed an amendment to the bill (S. 1429) to provide clarification in the reimbursement to States for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995; as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CLARIFICATION OF REIMBURSEMENT
TO STATES FOR FEDERALLY FUNDED
EMPLOYEES.

Section 124 of the joint resolution entitled "A joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes", approved November 20, 1995 (Public Law 104-56) is amended by adding at the end thereof the following new subsection:

"(b)(1) If during the period beginning November 14, 1995, through November 19, 1995, a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

"(A) such furloughed employees shall be compensated at their standard rate of compensation for such period;

"(B) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

"(C) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

"(2) For purposes of this subsection, the term 'State' shall have the meaning as such term is defined under the applicable Federal program under paragraph (1)."

AUTHORITY FOR COMMITTEE TO
MEETCOMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, December 20, 1995, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S.594, Presidio, to review a map associated with the San Francisco Presidio. Specifically, the purposes are to determine which properties within the Presidio of San Francisco should be transferred to the administrative jurisdiction of the Presidio Trust and to outline what authorities are required to ensure that the trust can meet the objective of generating revenues sufficient to operate the Presidio without a Federal appropriation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Wednesday, December 20, 1995, at 10 a.m. in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through December 18, 1995. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget (H. Con. Res. 67), show that current level spending is under the budget resolution by \$131.3 billion in budget authority and by \$55.0 billion in outlays. Current level is \$43 million below the revenue floor in 1996 and \$0.7 billion below the revenue floor

over the 5 years 1996–2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$190.7 billion, \$54.9 billion above the maximum deficit amount for 1996 of \$245.6 billion.

Since my last report, dated December 7, 1995, Congress cleared for the President's signature the Commerce, State, Justice, and the Judiciary Appropriations Act (H.R. 2076). These actions, and the expiration of continuing resolution authority on December 15, 1995, changed the current level of budget authority and outlays.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 19, 1995.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through December 18, 1995. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report, dated December 7, 1995, Congress cleared for the President's signature the Commerce, State, Justice and the Judiciary Appropriations Act (H.R. 2076). These actions, and the expiration of continuing resolution authority on December 15, 1995, changed the current level of budget authority and outlays.

Sincerely,

JUNE E. O'NEILL, *Director*.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 1ST SESSION, AS OF CLOSE OF BUSINESS DECEMBER 18, 1995

| [In billions of dollars] | | | |
|-----------------------------|-------------------------------------|----------------------------|-------------------------------------|
| | Budget resolution (H. Con. Res. 67) | Current level ¹ | Current level over/under resolution |
| ON-BUDGET | | | |
| Budget authority | 1,285.5 | 1,154.2 | —131.3 |
| Outlays | 1,288.1 | 1,233.1 | —55.0 |
| Revenues: | | | |
| 1996 | 1,042.5 | 1,042.5 | ² —0. |
| 1996–2000 | 5,691.5 | 5,690.8 | —0.7 |
| Deficit | 245.6 | 190.7 | —54.9 |
| Debt subject to limit | 5,210.7 | 4,900.0 | —310.7 |
| OFF-BUDGET | | | |
| Social Security outlays: | | | |
| 1996 | 299.4 | 299.4 | 0.0 |
| 1996–2000 | 1,626.5 | 1,626.5 | 0.0 |
| Social Security revenues: | | | |
| 1996 | 374.7 | 374.7 | 0.0 |
| 1996–2000 | 2,061.0 | 2,061.0 | 0.0 |

¹ Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

² Less than \$50 million.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS DECEMBER 18, 1996

| [In millions of dollars] | | | |
|---|------------------|---------|-----------|
| | Budget authority | Outlays | Revenues |
| ENACTED IN PREVIOUS SESSIONS | | | |
| Revenues | | | 1,042,557 |
| Permanents and other spending legislation | 830,272 | 798,924 | |

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS DECEMBER 18, 1996—Continued

| [In millions of dollars] | | | |
|---|------------------|-----------|-----------|
| | Budget authority | Outlays | Revenues |
| Appropriation legislation | | 242,052 | |
| Offsetting receipts | (200,017) | (200,017) | |
| Total previously enacted | 630,254 | 840,958 | 1,042,557 |
| ENACTED THIS SESSION | | | |
| Appropriation bills: | | | |
| 1995 Rescissions and Department of Defense Emergency Supplementals Act (P.L. 104–6) | (100) | (885) | |
| 1995 Rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104–19) .. | 22 | (3,149) | |
| Agriculture (P.L. 104–37) | 62,602 | 45,620 | |
| Defense (P.L. 104–61) .. | 243,301 | 163,223 | |
| Energy and Water (P.L. 104–46) | 19,336 | 11,502 | |
| Legislative Branch (P.L. 105–53) | 2,125 | 1,977 | |
| Military Construction (P.L. 104–32) | 11,177 | 3,110 | |
| Transportation (P.L. 104–50) | 12,682 | 11,899 | |
| Treasury, Postal Service (P.L. 104–52) .. | 15,080 | 12,584 | |
| Authorization bills: | | | |
| Self-Employed Health Insurance Act (P.L. 104–7) | (18) | (18) | (101) |
| Alaska Native Claims Settlement Act (P.L. 104–42) | 1 | 1 | |
| Fishermen's Protective Act Amendments of 1995 (P.L. 104–43) .. | | (1) | |
| Perishable Agricultural Commodities Act Amendments of 1995 (P.L. 104–48) .. | | | |
| Alaska Power Administration Sale Act (P.L. 104–58) | (20) | (20) | |
| Total enacted this session | 366,191 | 245,845 | (100) |

| | | | |
|--|--------|--------|--|
| PENDING SIGNATURE | | | |
| Commerce, Justice, State (H.R. 2076) | 27,110 | 18,910 | |
| ENTITLEMENTS AND MANDATORIES | | | |

| | | | |
|--|-----------|-----------|-----------|
| Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted ... | 130,678 | 127,394 | |
| Total Current Level ² | 1,154,233 | 1,233,108 | 1,042,457 |
| Total Budget Resolution | 1,285,500 | 1,288,100 | 1,042,500 |
| Amount remaining: | | | |
| Under Budget Resolution | 131,267 | 54,992 | 43 |
| Over budget Resolution | | | |

¹ Less than \$500,000.

² In accordance with the Budget Enforcement Act, the total does not include \$3,400 million in budget authority and \$1,590 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

Notes.—Detail may not add due to rounding. Numbers in parentheses are negative.

DONALD L. BREIHAN: A COMMITTED PUBLIC SERVANT

• Mr. HOLLINGS. Mr. President, I rise today to pay tribute to the 38-year career of a dedicated public servant who makes the Internal Revenue Service look good. Donald L. Breihan, who is the district director of the Columbia District of the IRS and who runs the service's 11 offices across South Carolina, will retire January 5. To put it succinctly, he'll be missed.

For 16 years, Don's down-to-earth, hands-off style of managing nearly 400 IRS employees in South Carolina has transformed many local tax initiatives

and programs into national models. On the job, he is known throughout the Nation for his fairness and professionalism. And in the community as an adjunct professor at the school of business at the University of South Carolina and as a past member of the board of directors of the Combined Federal Campaign, Don is known for his dedication and service.

Don has been head of the Columbia District since 1980. In his years there, he is credited with developing an award-winning Federal/State Tax Administration Sharing Program. As the IRS Southeast Region Federal/State Sharing Program executive, he coordinates Federal/State programs in the nine Southeastern States. Don also oversees the operation of Federal tax administration in South Carolina—a job in which he manages the collection of \$11 billion in Federal tax every year from 1.5 million filers of Federal income tax returns.

Don was born 60 years ago in St. Louis, MO. He joined the IRS after he got a bachelor's degree in accounting from St. Louis University. In 1973, he started training in the agency's executive development program and became assistant district director of its Richmond, VA, office later that year. After a stint in Baltimore, he moved in 1980 to Columbia to take over IRS operations for the State of South Carolina.

Mr. President, Don Breihan is not a native of our Palmetto State, but he quickly earned the respect to be treated like one. His hard work, commitment and spirit of dedication make him a tried and true South Carolinian. His brand of public service won't be able to be replaced.

Mr. President, I appreciate the opportunity to recognize the years of energy and devotion that Donald L. Breihan has worked to make our State a better place. I am glad that he is making South Carolina his permanent home. And I wish him and his wife Nancy all the best during Don's retirement and many more happy years to come.●

THE FIRST ANNIVERSARY OF THE MEXICAN PESO CRISIS

• Mr. D'AMATO. Mr. President, today marks the 1-year anniversary of a sad chapter in Mexico's history and a sad chapter in American financial management by the Clinton administration. After the sudden devaluation of the Mexican peso on December 19, 1994, the Mexican economy continued to collapse. In response to the economic crisis, the Clinton administration circumvented Congress and unilaterally committed \$20 billion of United States taxpayer funds to bail out Mexico.

The public relations campaign conducted by the Clinton administration and the Mexican Government have attempted to portray the Mexican bailout as a success and that, given enough time and enough money—United States taxpayers' money—conditions in Mexico will eventually improve. Public relations campaigns and publicity stunts